



THE CITY OF WINTER GARDEN

PLANNING, ZONING AND DEVELOPMENT

270 W. PLANT STREET

WINTER GARDEN, FL 34787

TEL. (407) 656-4111 • FAX (407) 654-1258

www.cwgd.com

PETITION FOR A VARIANCE

Section 118-130 of the City of Winter Garden Code of Ordinance requires that each applicant for a variance(s) submit a written Petition providing certain information and clearly describing how the variance request satisfies all the specific conditions necessary for the granting of the variance. Please provide the information requested in sufficient detail in order to assist the planning and zoning board in making their determination as to this Petition (use additional sheets if necessary):

OWNER OF RECORD

NAME: _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: _____ FAX: _____

E-MAIL: _____

APPLICANT / CONTACT PERSON (IF DIFFERENT):

NAME: _____

MAILING ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: _____ FAX: _____

E-MAIL: _____

3. If Corporation, Names of President and Secretary:

PRESIDENT: _____ SECRETARY: _____

4. Property ID Number: _____

5. Number of Acres: _____

6. Is a full Legal Description attached? Yes No

7. Is a survey attached? Yes No

8. Site Plan attached? Yes No

9. Property Address: _____

10. THE SPECIFIC VARIANCE REQUESTED AND REASON FOR THE VARIANCE (FOR SETBACK AND HEIGHT VARIANCE, BE SPECIFIC AS TO THE NUMBER OF FEET)
You may provide this answer on a separate sheet of paper if you need additional space.

THE PLANNING AND ZONING BOARD MAY GRANT APPROVAL OF THIS VARIANCE IF THEY DETERMINE THE FOLLOWING CONDITIONS EXIST. PLEASE PROVIDE JUSTIFICATION FOR THE FOLLOWING:

- a. Granting the variance will not cause or allow interference with the reasonable enjoyment of adjacent or nearby property owners or negatively impact the standard of living of the citizens of Winter Garden.

JUSTIFICATION:

- b. The variance will allow a reasonable use of the property which use is not out of character with other properties in the same zoning category.

JUSTIFICATION:

- c. In the context presented, strict compliance with the Land Development Regulation will not further any legitimate City objective; or, the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied.

JUSTIFICATION:

- d. The granting of the variance is consistent with the City of Winter Garden's Comprehensive Plan.

JUSTIFICATION:

- e. The variance requested is the minimum variance that will make reasonable use of the land, building, or structure; or, the benefits that would be achieved under the other variance criteria by the granting of the variance outweigh the benefits under this criteria if the variance were denied.

JUSTIFICATION:

11. I understand that the City of Winter Garden requires that the applicant be responsible for reimbursing the City for all advertising costs associated with this application, including postage for notices to adjacent property owners, and for newspaper advertising as required by the Florida Statutes and the City Code. I understand that I will be billed for these costs and will be responsible for paying them, whether or not my application for a variance is successful.

In addition, if this application is deemed to require review by the City Engineer, City Surveyor and/or City Attorney, I understand that I or my company will be responsible to pay for any and all reasonable legal, engineering, or surveying fees incurred by the City of Winter Garden in the process of reviewing the above project. I also understand that if this project property is sold, I or my company will be responsible to ensure that the new owner writes a similar letter accepting all the responsibility to pay for any and all reasonable legal, engineering, or surveying fees incurred by the City of Winter Garden in the process of reviewing this project from the date the property is sold. An Applicant shall provide prompt written notice to the City manager in the event of a change in ownership of all or a portion of a lot, tract, or parcel of real property with the respect to which an Application, or project is pending before the City.

Please initial recognizing your agreement of the above requirement. _____

All invoices for the costs associated with this project should be sent to:

PROJECT NAME OR ADDRESS: _____
NAME: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
PHONE: _____ FAX: _____

I/we hereby certify that I/we are the owner(s) of the real property which is the subject of this Petition and that the foregoing information on this Petition is true and complete.

Signature of the Applicant: _____

Print Name: _____ Date: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____,
20__, by _____, as _____ of
_____, who is personally known to me or who produced
_____ as identification.

NOTARY PUBLIC

Print Name: _____
My Commission Expires: _____

NOTE: If the Petitioner wishes to be represented by an agent, a limited power of attorney must be properly executed and provided to the City along with this application.

Submittal Requirements:

1. Copy of a site plan (if larger than 11" x 17" provide 12 copies, **folded not rolled**)
2. Legal Description
3. Proof of ownership (i.e. a copy of the deed)
4. Non-refundable Fee (please check appropriate box):
 - Single family residential (fences, sheds, other non-habitable structures) - \$75.00
 - Single family residential (additions, porches, substandard lots) - \$100.00
 - All others - \$250.00
5. Limited Power of Attorney (if signed by an agent of the owner)

Return this form and the above submittal requirements to the Planning Director at the address above.

Procedure:

The Procedure for a Variance is defined in Section 118-132 of the City's Code of Ordinances. In general, the petition shall be heard and approved, denied or approved with conditions by the Planning and Zoning Board at an advertised public hearing.

Code of Ordinances

The City of Winter Garden's Code of Ordinance can be found on the Internet at [/www.municode.com](http://www.municode.com). Access to the Internet can be obtained at any branch of the Orange County Library.